

Receipt date: 06/16/2004



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(B&W No. 003979-00002)

**Applicant:** Weaver, et al.  
**Serial No.:** 10/800,587  
**Filing Date:** March 15, 2004  
**Examiner:** Unassigned  
**Group:** 3763  
**Conf. No.:** 1652  
**Title:** MICROSCISSION PROCESS AND PROCEDURE

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**CERTIFICATE OF EXPRESS MAIL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

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Date of Deposit: June 16, 2004

I hereby state that the following:

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- ☒ PTO-1449 Form
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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to Mail Stop Provisional Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Brigid Laffey

June 16, 2004  
Dated

Brigid Laffey  
Signature of person mailing above-identified papers



Docket No. 003979/00002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** Weaver, et al. **EXAMINER:** Unassigned  
**SERIAL NO.:** 10/800,587 **GROUP:** 3763  
**FILED:** 15 March 2004 **CONF. NO.:** 1652  
**FOR:** Microscission Process and Procedure

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the provisions of 37 C.F.R. §1.56 and §1.97, Applicant herewith submits the publications and/or patents shown on the attached Form PTO-1449, for consideration by the Examiner in connection with the examination of the above-identified patent application.

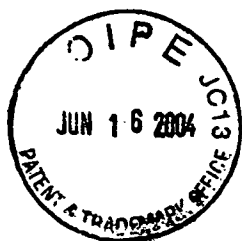
**REMARKS**

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed within three (3) months of the Filing Date or before the mailing date of the First Office Action on the merits

It is respectfully requested that each of the documents shown on the attached form PTO-1449 be made of record in this application. Copies of these documents are in the file of related application Serial No. 09/878,155, filed 07 June 2001 and are thus not being resubmitted herein.

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Information Disclosure Statement  
U.S.S.N. 10/800,587  
Page 2 of 2



Early examination and allowance of the present application are respectfully solicited.

### **FEE AUTHORIZATION**

Any fee associated with this submission should be charged to our Deposit Account - No. 19-0733.

### **CERTIFICATE OF EXPRESS MAIL FILING**

The undersigned hereby certifies that this correspondence is being deposited by Express Mail, Express Mail Receipt No. EV 436814039 in an envelope addressed to:  
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ernest V. Linek". The signature is written in a cursive, flowing style.

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Date: 16 June 2004

PTO/SB/08a (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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| Application Number     | 10/800,587       |
| Filing Date            | March 15, 2004   |
| First Named Inventor   | James C. Weaver  |
| Art Unit               | 3763             |
| Examiner Name          | Not Yet Assigned |
| Attorney Docket Number | 003979-00002     |

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| Attorney Docket Number | 003979-00002 |
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#### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

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| Examiner<br>Signature | /Bhisma Mehta/ | Date<br>Considered | 06/01/2009 |
|-----------------------|----------------|--------------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT NUMBER | DATE      | COUNTRY | CLASS | SUB-<br>CLASS | TRANSLATION<br>YES NO |
|--|----|-----------------|-----------|---------|-------|---------------|-----------------------|
|  | AM | WO 00/03758     | 27 Jan 00 | PCT     |       |               |                       |
|  | AN | WO 97/04832     | 13 Feb 97 | PCT     |       |               |                       |
|  | AO | EO 0 417 290    | 20 Mar 91 | EPO     |       |               |                       |
|  | AP |                 |           |         |       |               |                       |
|  | AQ |                 |           |         |       |               |                       |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|  | AR |  |
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Sheet 4 of 8

## Complete If Known

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## U.S. PATENT DOCUMENTS

| EXAM-<br>INER<br>INI-<br>TIAL | DOCUMENT NUMBER | DATE       | NAME             | CLASS | SUB-<br>CLASS | FILING DATE<br>IF<br>APPROPRIATE |
|-------------------------------|-----------------|------------|------------------|-------|---------------|----------------------------------|
| AA                            | 5,019,034       | 05/28/1991 | Weaver, et al.   | 604   | 20            |                                  |
| AB                            | 5,389,069       | 02/14/1995 | Weaver           | 604   | 21            |                                  |
| AC                            | 6,085,115       | 07/04/2000 | Weaver, et al.   | 600   | 509           |                                  |
| AD                            | 5,003,987       | 04/02/1991 | Grinwald         | 128   | 734           |                                  |
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| DOCUMENT NUMBER | DATE       | COUNTRY | CLASS | SUB-<br>CLASS | TRANSLATION<br>YES NO |
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**INFORMATION DISCLOSURE  
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| AX  | Yamashita, N., et al., "Scanning Electron Microscopic Evaluation of the Skin Surface after Ultrasound Exposure," <i>The Anatomical Record</i> , 247: 455-461 (1997).   |
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Sheet 7 of 8

## U.S. PATENT DOCUMENTS

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| AX4 | Heise, H.M., "Non-Invasive Monitoring of Metabolites Using Near Infrared Spectroscopy: State of the Art," <i>Horm. Metab. Res.</i> , 28:527-534 (1996).  |
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**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

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2001EXAMINER

/Bhisma Mehta/

DATE CONSIDERED

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